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14 | Co-Lead Counsel for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

17 In re LEAPFROG ENTERPRISES, INC.) Master File No. 3:15-cv-00347-EMC
18 SECURITIES LITIGATION)
19 _____) CLASS ACTION
20 This Document Relates To:) STIPULATION AND [PROPOSED] ORDER
21 ALL ACTIONS.) TO EXTEND THE CLASS
) CERTIFICATION DEADLINES
22 _____)

1 Pursuant to Civil Local Rules 6-2 and 7-12, the parties – lead plaintiff KBC Asset
2 Management NV (“Lead Plaintiff”) and defendants LeapFrog Enterprises, Inc., John Barbour, and
3 Raymond L. Arthur (“Defendants”) – by and through their undersigned counsel of record, submit the
4 following stipulation and proposed order:

5 WHEREAS, the Court has previously made time modifications in this case (Dkt. Nos. 49, 69,
6 96, 99, 108, 125, 130, 133);

7 WHEREAS, this is the first request for a modification of the deadlines to move for class
8 certification;

9 WHEREAS, on April 6, 2017, the Court referred this case to private mediation and ordered
10 that private mediation be completed by July 6, 2017 (Dkt. No. 123);

11 WHEREAS, the parties anticipate that class certification may require discovery from the
12 class representative, the submission of expert reports, and depositions of the experts;

13 WHEREAS, the Court also ordered that, in the event the case does not settle, Lead Plaintiff’s
14 class certification motion shall be filed by September 7, 2017, and oral argument shall be heard on
15 December 7, 2017, with the parties to agree on a briefing schedule and submit the stipulated
16 schedule to the Court (Dkt. No. 123);

17 WHEREAS, on May 31, 2017, the Court continued the deadline to conduct private mediation
18 to September 7, 2017 due to availability of the parties and the Honorable James Ware (Ret.), who
19 will preside over the private mediation (Dkt. No. 130);

20 WHEREAS, proceeding to class certification on the schedule that existed when the mediation
21 was scheduled to take place in July may, at this point, needlessly waste judicial resources and may
22 constitute a substantial and unnecessary burden on the parties;

23 WHEREAS, the parties have conferred and agreed that, subject to Court approval, the
24 deadline for Lead Plaintiff to move for class certification should be continued to November 7, 2017;
25 Defendants shall have until December 21, 2017 to file any opposition to class certification; Lead
26 Plaintiff shall have until February 7, 2018 to file any reply in support of class certification; and oral
27 argument should be continued to March 1, 2018 at 1:30 p.m. or to another date and time convenient
28 to the Court other than February 22, 2017; and

1 WHEREAS, the parties agree that, in the event anyone other than Lead Plaintiff moves for
2 appointment as class representative, the parties will revisit this schedule to ensure Defendants have
3 sufficient time to take discovery relevant to the class certification determination regarding the
4 previously unnamed proposed representative;

5 NOW, THEREFORE, the parties hereby agree and stipulate that:

6 1. The deadline for Lead Plaintiff to move for class certification is continued to
7 November 7, 2017;

8 2. Defendants shall have until December 21, 2017 to file any opposition to class
9 certification;

10 3. Lead Plaintiff shall have until February 7, 2018 to file any reply in support of class
11 certification; and

12 4. Oral argument on Lead Plaintiff's class certification motion shall be rescheduled for
13 March 1, 2018 at 1:30 p.m., or another date and time convenient to the Court other than February 22,
14 2018.

15 DATED: August 17, 2017

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s/ Matthew S. Melamed
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1
2 DATED: August 17, 2017
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I, Matthew S. Melamed, am the ECF User whose ID and password are being used to file this
Stipulation and [Proposed] Order to Extend the Class Certification Deadlines. In compliance with
Civil Local Rule 5-1(i)(3), I hereby attest that Mark R.S. Foster has concurred in this filing.

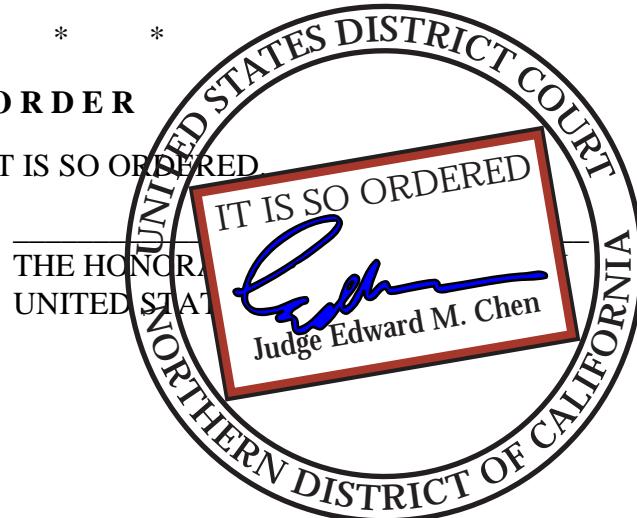
13 s/ Matthew S. Melamed
14 MATTHEW S. MELAMED

15 * * *

16 ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 22, 2017



CERTIFICATE OF SERVICE

I hereby certify that on August 17, 2017, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 17, 2017.

s/ Matthew S. Melamed
MATTHEW S. MELAMED

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)